

## IN THE CLAIMS

Please amend the claims to read as follows:

### Listing of Claims

1-19. (Canceled).

20. (New) A code division multiple access transmitting apparatus comprising:

a plurality of transmitting antennas;

a parallel data forming section that forms a plurality of parallel data different from each other, from data addressed to a same transmitting party;

a first spreading section that spreads first parallel data to be transmitted from a first transmitting antenna;

a second spreading section that spreads second parallel data to be transmitted from a second transmitting antenna;

a spreading method setting section that sets spreading methods in the first and second spreading sections independently; and

first and second transmitting sections that transmit the spread first and second parallel data from the first and second transmitting antennas using a multiple-input multiple-output scheme.

21. (New) The code division multiple access transmitting apparatus according to claim 20, wherein signals transmitted from the first and second transmitting antennas are separated at the transmitting party by using a difference in characteristics of channels where the signals pass.

22. (New) The code division multiple access transmitting apparatus according to claim 20, wherein the spreading method setting section sets spreading methods in the first and second spreading sections independently based on at least one of a channel quality, a degree of importance, and the number of retransmissions, of each signal transmitted from the first and second transmitting antennas.

23. (New) The code division multiple access transmitting apparatus according to claim 20, wherein the spreading method setting section performs the setting based on at least one of a channel quality, a degree of importance, and the number of retransmissions, of each signal transmitted by radio from the first and second transmitting sections.

24. (New) The code division multiple access transmitting apparatus according to claim 23, wherein the spreading method setting section sets in the first spreading section a spreading method that improves reception accuracy at a receiving side, in at least one of the following cases:

the channel quality of a signal transmitted by radio from the first transmitting section is poorer than the channel quality of a signal transmitted by radio from the second transmitting section;

the degree of importance of the signal transmitted by radio from the first transmitting section is greater than the degree of importance of the signal transmitted by radio from the second transmitting section; and

the number of retransmissions of the signal transmitted by radio from the first transmitting section is greater than the number of retransmissions of the signal transmitted by radio from the second transmitting section.

25. (New) The code division multiple access transmitting apparatus according to claim 20, wherein the spreading method setting section sets a spreading factor used in the first spreading section greater than a spreading factor used in the second spreading section.

26. (New) The code division multiple access transmitting apparatus according to claim 20, wherein the spreading method setting section sets the number of spreading codes used in the first spreading section smaller than the number of spreading codes used in the second spreading section.

27. (New) The code division multiple access transmitting apparatus according to claim 20, wherein the spreading method setting section sets the number of spreading codes the first spreading section assigns to one transmitting party greater than the number of spreading codes the second spreading section assigns to one transmitting party.

28. (New) The code division multiple access transmitting apparatus according to claim 24, wherein the first parallel data comprises control information or retransmission information.

29. (New) The code division multiple access transmitting apparatus according to claim 24, wherein the spreading method setting section performs the setting for only a fixed period of time.

30. (New) The code division multiple access transmitting apparatus according to claim 20, further comprising an assigning section that assigns to the first and second transmitting sections respective transmitting parties, wherein:

the spreading method setting section sets in the second spreading section a spreading method that improves reception accuracy at a receiving side greater than the first spreading section; and

the assigning section assigns the transmitting party having a greater number of retransmissions than a predetermined number to the first transmitting section.

31. (New) The code division multiple access transmitting apparatus according to claim 24, wherein transmission power of the first transmitting section is set greater than transmission power of the second transmitting section.

32. (New) The code division multiple access transmitting apparatus according to claim 27, wherein the spreading method setting section applies the setting to a transmitting party having a lower channel quality than a predetermined quality.

33. (New) The code division multiple access transmitting apparatus according to claim 24, wherein the first parallel data comprises a systematic bit when a turbo code is used as an error correction code.

34. (New) The code division multiple access transmitting apparatus according to claim 20, wherein the signals transmitted by radio from the first and second transmitting sections are converted in multicarrier form.

35. (New) A code division multiple access receiving apparatus that uses a multiple-input multiple-output scheme, the apparatus comprising:

first and second receiving sections that receive signals in which varying data is multiplexed through first and second receiving antennas;

a separating section that separates the varying data prior to multiplexing, from the signals received respectively through the first and second receiving antennas by using a difference in characteristics of channels where the signals pass; and

first and second despreading sections that respectively despread the separated signals, wherein:

despreading methods in the first and second despreading sections are set independently.

36. (New) The code division multiple access receiving apparatus according to claim 35, wherein the despreading methods in the first and second despreading sections are set individually

based on at least one of a channel quality, a degree of importance, and the number of retransmissions, of each signal received through the first and second transmitting antennas.

37. (New) A communication terminal apparatus comprising the code division multiple access transmitting apparatus according to claim 20.

38. (New) A base station apparatus comprising the code division multiple access transmitting apparatus according to claim 20.

39. (New) A radio transmitting method comprising:  
first and second spreading steps of spreading parallel signals different from each other;  
first and second transmitting steps, corresponding to the first and second spreading steps, respectively, of transmitting the spread parallel signals using a multiple-input multiple-output scheme; and

a spreading method setting step of setting spreading methods in the first and second spreading steps independently.

40. (New) A radio transmitting system comprising:  
a parallel data forming section that forms a plurality of parallel data different from each other, from data addressed to a same transmitting party;  
a first spreading section that spreads first parallel data to be transmitted from a first transmitting antenna;

a second spreading section that spreads second parallel data to be transmitted from a second transmitting antenna, the second parallel data having different content from the first parallel data and being addressed to a same transmitting party;

a spreading method setting section that sets spreading methods in the first and second spreading sections independently; and

first and second transmitting sections that transmit the spread first and second parallel data through the first and second transmitting antennas using a multiple-input multiple-output scheme.